EXHIBIT A

CODA'S ALLEGED TRADE SECRETS

GROUP	CODA ALLEGED TRADE SECRET	INDEFINITE	PUBLISHED	NOT DISCLOSED TO GOODYEAR IN 2009	NOT USED OR DISCLOSED BY GOODYEAR
Pump Location	**16.** Coda's design, development, and testing regarding the feasibility and improvements in self-inflating tire technology by embedding a tube in a groove in a tire sidewall to act as a peristaltic pump.	Trade secret 16 is indefinite because it discloses none of Coda's "development and testing." • Dkt. 355 at 424:16-22 ("Q. And can you tell us what -- the three trade secrets on this slide, can you address them, what they relate to? A. It's -- we can start with number 16, which is related to feasibility and improvements in self-inflating tire technology by embedding a tube in a groove in the tire sidewall to act as a peristaltic pump. I think it's what it says basically.") Trade secret 16 is further indefinite because Coda's use of the term "groove" is so malleable as to be indefinite. • "slots" made by cutting and "crevices" in tire sidewalls were disclosed in the 2007 PCT and the 2008 *Tire Technology* article, respectively, yet Coda is oddly arguing that the term "groove" connotes something different. • D-043 (2007 PCT application; "slot") • D-058 (2008 *Tire Technology* article; "the tubing can be created as a crevice in the sidewall")	A tube embedded in a "slot" in a tire sidewall was disclosed to the public prior to the 2009 Goodyear meetings in the 2007 PCT (WO 2007/134556). A "slot" is the same thing as a "groove." • Dkt. 357 at 755:14-20 ("Q. Okay. And then below this you have a quote from your patent. And I'm going to be careful about this. So do you recall yesterday we talked -- let me just read the sentence. It says, "A hollow hose to contain the chamber can be put in the slot formed by a Matric 9. Do you mean see that. A. Yes.") • Dkt. 357 at 756:23-757:9 ("Q. And what's in parentheses says slot equals groove. Do you see that? A. Yes, that's for check of the lawyer, yes that's -- yeah. Q. And grove is a typographical error. In other words that should be groove, correct? A. I didn't know the term until I have seen -- until this time, and I was just checking why those things are having the same meaning. Yes, it's for groove, yes, it's for groove, and it's -- I don't even know how to write it. Q. Now, you wrote that, correct? A. I did, yes.") A "crevice" is the same thing as a "groove."		

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			• D-058 (2008 *Tire Technology* article; "the tubing can be created as a crevice in the sidewall") • P-886 (prototype that Hrabal displayed at the Society of Automotive Engineers "exhibition" in 2008, *see* Dkt. 355 at 394:5-18) • D-047 (prototype was visible on the Coda website since at least 2008, *see* Dkt. 355 at 407:3)		
	24. Coda's knowledge regarding the optimal location for placement of a pump in a tire for tire manufacturers, namely, in the sidewall close to, and above, the rim where the tire cyclically deforms in response to deformation.	Trade secret 24 is indefinite because it is no more specific than "close to, and above, the rim where the tire cyclically deforms." When faced—on direct—with previous public disclosures of tires with peristaltic pumps placed in the tire sidewall close to and above the rim in the 2007 PCT application (WO 2007/134556), Mr. Hrabal testified that his trade secret is different because the 2007 PCT application used the "flap solution," which "is being crushed against the rim," and his is not. Dkt. 355 at 361:17-362:5; *see also* Dkt. 356 at 655:25-656:14; Dkt. 356 at 659:13-23 ("Q. Let me ask. Are there any particular words in this alleged trade secret [24] that you believe should be translated as without crushing against the rim? A. It's in the sidewall – in the sidewall close and above the rim. Q. So -- A. Hold on, please. You are having – your sidewall today – the way how the sidewall works, that it bends at above the rim, and this is location which away from the rim where the tire cyclically deforms in response to deformation."). But that would	The 2007 PCT discloses the alleged trade secret as written. A peristaltic pump in a tire sidewall near the rim where there is cyclical deformation is not a trade secret. • Dkt. 356 at 625:9-12 ("Q. So locating a peristaltic pump in the tire sidewall near the rim in an area where it cyclically deforms was not a trade secret? A. **This is public**.") And Hrabal agreed that the pump disclosed in the 2007 PCT was an optimal location for tire manufacturers. Dkt. 356 at 625:14-17 ("Q. And if a tire manufacturer made and sold this design, you believe that they could make a lot of money doing that, right? A. That's right."); Dkt. 356 at 639:22-640:1. The lug boss disclosed in the 2007 PCT application is "close to, and above the rim."	Hrabal's evidence that he conceived of (possessed) this alleged trade secret is the after-the-fact 2010 MPR drawing that he didn't create. Dkt. 355 at 342:6-16 ("Q. Do you have any evidence showing you conceived of this pump tube in groove location that is close to but above the rim that pinches in response to the flexion of the sidewall and cyclic deformation? Do you have any evidence that you conceived of this idea before the '586 patent application published in June of 2011? A. I do. Q. And what is that, Mr. Hrabal? A. It's the drawing that was done for me by a company called MPR."). He has no written evidence he possessed this trade secret, even though he claims to have conceived of it in 2005. Dkt. 356 at 603:3-10 ("Q. Okay. So my	

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		impermissibly add to the disclosed secret, which nowhere says that the "optimal location" had anything to do with avoiding "rim crush." Coda's expert Coughlin attempted to distinguish trade secret 24 from the animation images displayed on Coda's website (D-045). Coughlin's claim that that the animation image fails to show the "optimal location" for a pump because it depicts the placement as "far and away from the rim" demonstrates that vague terms like "optimal," and "close to, and above" render the trade secret indefinite. • Dkt. 359 at 1601:7-1602:4 ("Q. And what's your opinion on whether Defendant's Exhibit 45 [sic] discloses any of Coda's trade secrets? A. This website image video does not disclose any of those trade secrets here on the screen on the left. You can see a still of that website image. The tire, the rim mentioned in that, and then these two chambers within a circle, one on the bottom in green and the other, I believe the color description was ocher. MR. RICHEY [sic]: Rings a bell. THE WITNESS: So, and this is a general graphical depiction of this concept. But it in no way reveals the trade secrets within this. You'll notice the practicality of the size of these cavities, chambers, as I said, nearly spanning the entire sidewall. And so this does not in any way disclose the trade secrets of the pump tube location so for example numbers 24 or -- Q. Why not 24? A. Again, because, you know, this does not show, you know, where the optimal	• Dkt. 356 at 663:2 ("A. The lug boss is on the rim near and above the rim.") The lug boss of the 2007 PCT application closes "in response to deformation." • Dkt. 356 at 663:13-15 ("Q. Well, the lug boss closes due to deformation forces, correct? A. **In response of the tire deformation, yes.**") Embodiment 3H from the 2007 PCT shows the pump "close to, and above, the rim." • Dkt. 356 at 664:23-666:11 ("Q. And to be clear, that's grooving knife, not groovy. All right so you take a knife. And this is described you take a tool and you cut a chamber, right? A. Chamber 1 can be made by cutting operation. Q. And then it goes on and says, "Either a hollow hose to contain the chamber can be put into the slot formed by the matrix 9 or by the above mentioned method." So you can form a chamber and then put a hose in it, correct? A. Within the constrain[t]s of this patent application, what it means that you will make the flap and into that flap you are -- you may insert this, this hose, yes. Q. And so 3H you consider to be a flap, right. 3H embodiment we were looking at that had that surfaces 10 -- A. Yes. Q. -- in it. Okay. So you could put a pump, a hose, into that	point is, you don't have any written description of the tube in groove trade secret from 2009. A. I don't. Q. And you believe you conceived it as early as what, 2005? A. Could be, around that time, yes.").	

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		placement is for location of a pump in a tire for a tire manufacturer. This is far and away from the rim. This is not in the area that you would want to locate the tube within the groove which is described in trade secret 16.")	chamber, right? A. Yes. Q. And then -- so that would be -- the hose is a tube or a peristaltic pump, right? Q. And so you agree, I believe -- well, no. I'm sorry. Let me ask. **If one does that with the 3H embodiment, lug boss embodiment, do you agree that the hose in that embodiment would be near and above the rim? A. Yes. Q. Okay. And in an area of the tire that cyclically deforms, correct? A. That cyclically deforms here, it refers to the location within the tire sidewall itself, in the tire sidewall.** Q. The lug boss is in the tire sidewall, right? A. Lug boss is tire sidewall extension between the tire and the rim. It's just -- Q. It's in the sidewall? A. It's part of the tire sidewall.") Disclosed by the Coda prototype, which was publicly disclosed by at least 2008 as shown in the 2008 SAE Presentation (D-052): • Dkt. 355 at 341:13-22 (re '586 patent P-008) ("Q. Okay. And can you tell us what that is we're seeing? A. We see the peristaltic pump which is located close and above the rim. And the peristaltic pump is formed by the hose or tube in the groove. And it's located in the location of the cyclical flexion. Q. And is this the location that you told Dr. Benedict about? A. That's		

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			the location identified on my prototype, yes.") Disclosed on Coda's Website: D-045; D-152; Dkt. 356 at 669:4-9); Dkt. 356 at 675:14-676:6.		
	15. Coda's improvements in self-inflating tire technology by assessing alternative locations of a peristaltic pump in the following areas: on the radial face of the bead abutting the rim; in the tread area; in the sidewall against the rim, with use of a spacer to shift the flexion in order to create room for the chamber; between the tire and the rim with flap tubes; in the sidewall near and above the rim at the end of a flap passage; and in the sidewall near and above the rim in an outward facing groove.	Trade secret 15 is indefinite because it does not disclose what the "improvements" are that are claimed to be trade secret(s). • Dkt. 356 at 682:22-683:8 ("Q. And the alleged trade secret does not describe what your assessments were, correct? A. It describes the knowledge which comes out of this assessment, yeah. **Q. It doesn't say what the knowledge is in the alleged trade secret, correct? A. It's the knowledge that I gained from this assessment. Q. Right. Which is not stated in the alleged trade secret, correct? A. That's would probably be too long document.** It's, you know -- it's -- that is lot a knowledge that was gained over the years.") Trade secret 15 is also indefinite because the final "alternative location" allegedly assessed—"in the sidewall near and above the rim in an outward facing groove"—does not include the "can't use rim crush" requirement that Hrabel tried to smuggle into his trade secret to differentiate it from the 2007 PCT application. • Dkt. 355 at 361:17-362:5 (Hrabel distinguishing his trade secret from a flap tube that utilizes "rim crush," which is not described in trade secret 24)	See above re: trade secret 24. Coda admitted in its SJ Opp. Br. that the first five locations were published by Coda prior to 2009. Dkt. 250 at 12427 ("The first five of those tube locations listed are public and were disclosed in Coda's prior publications.").	See above re: trade secret 24.	
	19. Coda's knowledge regarding the behavior of the tire sidewall during	Trade secret 19 is indefinite because it vaguely references "Coda's			

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	the course of tire rotation to evaluate a preferred location for the pump tube based on rigidity, centrifugal forces, and proximity to the air source.	knowledge," without specifying what that "knowledge" is. Hrabal's trial testimony included a rambling description of trade secret 19 that included numerous descriptors not included in the trade secret, *e.g.*, "dead volume," "bead," "hose," "regulator," and "interface." • Dkt. 355 at 426:24-429:1. (Q. Mr. Hrabal, can you tell us what trade secret 19 relates to? A. It relates to Coda's knowledge regarding the behavior of the tire sidewall during the course of tire rotation to evaluate a preferred location for the pump tube based on rigidity, centrifugal forces, and proximity of the air source. When you are considering where you want to have your peristaltic pump, you have to take into account rigidity. We already spoke about how the rigidity can affect pump itself in flexion. But rigidity was important for you because when your [*sic*] considering the pump, you are not considering only the **hose**, you are also considering the **regulator**, which is connected to the hose and you are also considering the **interface** which is helping you to get the air from outside into inside of the tire. You have to have some way for the air to get into the tire. And **regulator** is -- it has a mass. It's not like light. It can be a light thing, but it still has some mass. And that mass is increasing with the spinning of the wheel due to the centrifugal forces. And getting it closer to the rim may decrease the effect of those centrifugal forces on the **regulator**, and there is not an advantage because when you			

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		are having the **bead** which is quite rigid, and you want to anchor your metal or plastic **regulator** somewhere, you can inch great by, for example, attaching it between the tire and the rim which is very sturdy, which place something between the tire and the rim and the tire is inflated there are huge forces which will keep it into place. And that's an important consideration for you when you looking for the location of the **regulator**. At the same time, when you are -- when you are deciding about location of the pump, you need to consider the connection. If you will have the pump, which is, for example, under tread, that pump will have very long way if you want to connect it to the regulator which is on the sidewall. And if you make that connection on the tire sidewall, you are exposing it to potential harm from the curb or something. So that is the danger of that placement. And you also -- yeah, you are also creating dead volume, because as I explained**, dead volume** can you used for the regulation. But **dead volume** is also considered, use it for the good thing, for the benefit of the solution, to regulate the pressure, but that volume as such can have negative impact because it decreases efficiency of the pump because you first have to fill the **dead volume** with the air, and only after you fill it you can inject it into the tire. So that's why you are considering this proximity of the air source, centrifugal forces and rigidity when you are assessing where you want to place your peristaltic pump hose.")			

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	18. Coda's knowledge regarding how moving the pump relative to the tire bead (axially or radially) affects the leverage and compressive force exerted on the pump, impacts the ability to open and close the tube, and the magnification of the leverage from the flexion of the sidewall, as demonstrated by the built-out groove of the prototype.	Trade secret 18 is indefinite because it vaguely references "Coda's knowledge" without specifying what that "knowledge" is. Hrabal's trial testimony included a rambling description of trade secret 18 that included all kinds of purported "knowledge" not set forth in the alleged secret descriptors not included in the trade secret, *e.g.*, "scissor effect." • Dkt. 355 at 424:23-426:11 ("Q. Okay. Then go on to 18, please? A. 18 is about Coda's knowledge regarding how moving the pump relative to the tire bead axially or radially affects the leverage and compressive force exerted on the pump, impacts the ability to open and close the tube, and the magnification of the leverage from the flexion of the sidewall, as demonstrated by the build-out groove of the prototype. So we are talking about this prototype that is sitting here. Some time ago we were seeking speaking about this **scissor effect** and what the -- the way how this is working is that at the end of the **scissors** you are having smaller force, and as you are moving towards this axis, that force is increasing. And this knowledge can tell you that in case that you are having peristaltic pump in the location which we are having on the prototype, and if you import that peristaltic pump into the tire, you are moving that peristaltic pump into this bigger thing, and metaphor, if I was able to gain the pressure which was sufficient for self-inflating the tire, you will have even weaker pressure in the peristaltic pump which is moved over the tire			

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		sidewall or into it. So that's about axial and radial movement. We are saying that moving the pump into the tire sidewall will -- even more so close the pump than having it what is it is on the prototype. As we are speaking about radial movement, as I explained, all those years that I was looking for how the tire is behaving, I learned that bead is not really like, really suitable location for the pump because bead is very sturdy, very hard part of the tire. And it doesn't flex well, so it can go up and down, so as you are moving from it up, away from the rim, like moving up from the rim, that flexion is increasing. And this knowledge that it can move up in order to increase the flexion and move inward or outward to change the forces, when you apply them on our analysis of the locations, for example, it can give you which is the best location for the peristaltic pump.")			
Pump Configuration	**1.** A self-inflation system that operates when the tire rotates in either direction and the desirability of a symmetrical implementation of the pump system in the tire, such as the use of two mirror-image pumps.	Trade secret 1 is indefinite because it does not include any description of a "regulator" or "backward circulation," which Hrabal attempted to add through his testimony. • Dkt. 355 at 462:4-10 ("Q. Mr. Hrabal, did you discuss trade secret number 1 at the second meeting with Goodyear? A. I think we visited that one, yes. Q. What did you discuss regarding trade secret number 1? A. I think we visited it like that it can be on both sides of the tire and that the **regulator** is allowing for this **backwards circulation**, you know.")			Trade secret 1 was not disclosed or used by Goodyear. Coughlin attempts to use Goodyear's filing of the '254 patent (D-191) as evidence that trade secret 1 was not "generally known or readily ascertainable" at the time Goodyear met with Coda. The filing of the '254 patent cannot be considered a use or disclosure of the trade secret because the asymmetrical tire assembly disclosed in the '254 patent does not embody the "symmetrical implementation of the pump

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					system" disclosed in trade secret 1. • Dkt. 359 at 1614:20-23 ("Q. Now, switching gears a little bit, I would like to talk about the trade secret 16 and 24 on pump tube location and trade secrets 1 and 2 on bidirectional and functionality.) • Dkt. 359 at 1627:9-17 (Q. Now, did you see any evidence that Goodyear disclosed the bidirectionality and symmetry trade secrets? A. Again, as we have been discussing here and my understanding and recognition of this as an inventor myself is that when you file a patent that eventually is then published. Or a patent application is then eventually published. And so the publications of that would have disclosed the bidirectionality trade secrets once that publication occurred.") • '254 patent at 3:51-55 ("The peristaltic pump assembly 14 further includes an inlet device 44 and an outlet device 46 spaced apart approximately 180 degrees at respective locations within the air tube 42. The outlet device 46 has a T-

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					shaped configuration in which T-sleeves 48, 50 join at one end to an outlet sleeve 52.")
	2. Coda's knowledge of how to design and develop a peristaltic pump with symmetry that takes into consideration symmetrical pump tubes providing bi-directional functionality and uniformity, variant pump tube lengths and configurations that can be less than fully circular, fully circular and super circular, and a bi-directional arrangement implementing the principles of symmetry, such as the example of 360-degree oppositely oriented pumps in each sidewall of a tire.	Trade secret 2 is indefinite because it vaguely references "Coda's knowledge" without specifying what that "knowledge" is. And Hrabal's testimony attempted to expand on this unspecified "knowledge" with information not included in the alleged trade secret. • Dkt. 355 at 430:10-4:31-9. ("Q. Okay. And can you tell us what trade secret number 2 relates? A. When we were discussing -- that is the knowledge which can be important for your design consideration and into that knowledge it can be important for you to know what we learned from our prototyping about like using of the short pumps because we were using the short pumps in the dead volume system, because if we would have long pump, it's not desirable. Long pump can create -- one of the long peristaltic pump can create problems which are solved by 360 degree long pump. And so you can chose from those variants, and you have to take care that you will be -- you will not disbalance the tire, you will not create harmonic problems so you will not make it symmetrical. Again, one of the option is to make fully cyclical peristaltic pump, because our peristaltic pump system with this three-way valve has an advantage of being around whole circumference of the tire. That's for the benefit of the system that increases -- significantly increases its output power. I would say			See above re: trade secret 1.

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		dramatically. So all of this knowledge is coming into the consideration of the -- how we design and develop peristaltic pump -- if I missed any part of this. As we agreed, the 360 degree pump would be on both sides of the tire.") Here, too, Hrabal attempted to import into the alleged secret a three-way valve that is capable of "circulating the air in the reverse motion" requirement not disclosed in trade secret 2. • Dkt. 355 at 409:1-17 ("Q. And so what did you -- what sort of information about a bidirectional tire did you provide in response to the question? A. There was like directly to the point of bidirectional tire. There was -- I give the information that bidirectional, it can be solved by placing the system on both sides of the tire because this peristaltic pump can actually -- if you will, put it on both sides, on one side it will be going in reverse. Then on the other side it will always pump. And there was also information about safety feature of the regulator which we are using, this three-way valve, **its capability of circulating the air in the reverse motion** and this capability do not give you -- that configuration that we are presenting wasn't having capability of inflation. But it was having capability of a circulation of the air and not damning the regulator itself.")			
	11. Coda's knowledge of how to design and develop self-inflating tire pump and groove solutions, consisting of round pump tubing in	Trade secret 11 is indefinite because it vaguely references "Coda's knowledge" without specifying what that "knowledge" is. The trade secret			

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	an outward-facing groove with straight, angled interior geometry; pump tubing with geometry that interlocks with its seat; pump tubing with elliptical interior cross-section; variant pump tube, groove and chamber dimensions, size and materials; pump tube and groove design to minimize internal friction; a "tubeless" pump solution (i.e., a pump that may compose an integral part of tire); cross-section designs that minimize stress on compression in order to improve durability; and tubing with reinforced wall.	also lists multiple elements that are indefinite (e.g., what are the designs that minimize the internal friction?). • Dkt. 355 at 433:12-434:14 ("Q. Can you tell us what trade secret 11 relates to. A. This is knowledge which relates to those items which are described here around pump tubing with an outward facing groove into the straight aged geometry, something what I use on this prototype that is the peristaltic pump, which is placed in the -- it's like rocks on the bottom of the gray extension, the box extension is there in order for the pump not to walk away. It was important for me because before this, when I was working with the flap solution, I was able to make the pump, pumping at 50 PSI. I couldn't get higher. And one of the reasons for it was the peristaltic motion which actually goes around the tire and actuate the pump, it was also trying to move the pump away, so it didn't hold in place. So I had to make the solution which will hold in place in location, and this bullet point is related to that solution. Pump tube with geometry that interlocks with its seat. The pump tube is also -- when you are having the flap solution, and in order to prevent it from walking away, you may want it to walk to the location that it is. I wasn't able to do it, but that's what it would be focused on in your next development. If I wouldn't have to go to Society of Automotive Engineers Congress and make the prototype, this way I might be progressing the flap solution this way. So this type of the			

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		knowledge as is described in all those other bullet points.")			
Pressure Management	**3.** Use of a regulator with a threaded member in a self-inflating tire to adjust the space between the membrane and the aperture, thereby resulting in a change in regulator pressure.	Hrabal's trial testimony included a rambling description of trade secret 3 that included numerous descriptors not included in the trade secret, *e.g.*, "membrane signaling," "air spring," "peristaltic pump," "the membrane click[ing] out," and "actuat[ing] the inflation of the tire." • Dkt. 355 at 435:18-20. ("Q. Trade secret number 3, can you tell us what that relates to, Mr. Hrabal? A. This is trade secret related to the pressure management. We are having the pressure regulator which is actuating the pumping action by membrane. There is an aperture which goes into the peristaltic pump which is open. When it's open, the air can travel around over and over again. But we are having membrane which is against that aperture, and **the membrane is signaling you when the tire is properly inflated because next to the membrane there is compressed air, kind of air spring, and when the air spring reacts to the pressure inside of the peristaltic pump, and when the pressure inside of the peristaltic pump or in the tire is smaller than is the pressure inside of the regulator, the membrane clicks out. And that clicking causes the aperture, causes the opening here, and this action actuates the inflation of the tire because it can't recirculate anymore. It will simply be taken from another source, not from this aperture.** And the way how you can adjust this moment of the start and end of the inflation is by	The regulator described in trade secret 3 was physically displayed to Goodyear but not marked as confidential. • Dkt. 356 at 685:11-686:2 ("Q. And the idea in alleged trade secret 3 is that you can use a set screw to conveniently adjust the pressure setting, right? A. Yes. As I explained, that was the regulator which was on the table which was offering this function. And I was having another regulator where I was showing the function. And a gentleman from Goodyear was disassembling those three screws. And I understand that Goodyear doesn't consider those things that were shown to them as a trade secret because they were not labeled as a confidential because I didn't make the labels on it. But regardless of that, that patent application was public after we met with Goodyear, a couple months after that. At the time when we met, at the time when they use it, it was -- it was trade secret.") A regulator with a threaded member was used in the Coda website video, which was publicly available by at least 2008 as shown in the 2008 SAE Presentation (D-052). • Dkt. 356 at 687:7-19. ("Q. Well, can you answer this truthfully? You used a		

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		moving this -- moving this membrane, it gets closer and further from the aperture, and that's what meant here by threaded member. You can screw it in and screw it out, and you can use the screws which are helping you set the distance between membrane and aperture. And by setting the distance, you can alter the pressure of the system.")	threaded member in the website video to change the pressure setting on that regulator? A. That's right. Q. Okay. A. But this one is speaking about something else. Q. You think this regulator is a different – has differences from the regulator in the web site video? A. Right, yes. Q. Okay. But you agree that set screws and threaded members were known things in 2009? A. Yes, I bought it off the shelf. That's off-the-shelf product that was visible on the video.")		
	22. Coda's design and development of pressure management device alternatives for self-inflating tires, consisting of pressure management devices with the membrane containing a reference space, a spring-assisted membrane, a spring-loaded closure element, and electronic management, and knowledge of the different pressure-temperature response characteristics of these alternatives.	The "design and development of pressure management device alternatives for self-inflating tires" described in trade secret 22 concludes with Coda's "knowledge of the different pressure-temperature response characteristics of these alternatives." Trade secret 22 fails to describe what Coda's knowledge is of these pressure-temperature response characteristics or what those response characteristics are, which Mr. Hrabal attempted to add through his testimony. • Dkt. 355 at 451:25-452:14 ("Q. Thank you. Trade secret 22, Coda's design and develop of pressure management device alternatives for self-inflating tire consisting of. And then it lists some design alternatives. Do you see that? A. Yes. Q. Okay. And then does this trade secret relate to that list of design alternatives? A. Yes. Q. Okay. And then is there anything else that – about this particular list of design alternatives? A. They are -- they	Coughlin admitted in his testimony that trade secret 22 was disclosed upon the publication of the 2009 PCT (WO 2009/103252) on August 27, 2009. • Dkt. 359 at 1606:23-1607:2 (Q. How about trade secret number 22? A. So trade secret 22 was actually then disclosed upon publication of the 2009 PCT. There is descriptions in there of various spring-loaded closure elements and the response of different temperatures and pressures.)		

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		help us to -- the information relates to -- it's about those described alternatives and the knowledge which relates to the different pressure temperature responses characteristics, so how they behave based on like different temperatures and pressure.") • Dkt. 355 at 466:5-18 ("Q. Thank you. And 22. Did you discuss trade secret 22 with Goodyear at the June 15 meeting? A. Yes, I did. Q. And what did you discuss? A. For example, this reference above the membrane when it's integrated within the tire wall, within the tire interior, because it contains the air. When the tire warms up, its pressure is going up, but also the pressure of the reference books is going hand in hand with the pressure of the tire itself, because the temperature are rubbing up together so even though tire is now for 40 PSI, for example, at 50 PSI and the reference book is also from 40 PSI to 50 PSI, the system knows that the tire is properly inflated even though when the tire is at higher pressure because when the pressure -- when the temperature drops down, back to outside environment temperature, for example, you will get to 40 PSI again, and that's when you are actually measuring your pressure.")			
	4. Coda's knowledge of how to design and develop a pump-system for a self-inflating tire, which comprises the following design alternatives: "dead space" in the pump chamber in order to limit the	Trade secret 4 is indefinite because it vaguely references "Coda's knowledge of how to design and develop a pump-system for a self-inflating tire" without specifying what that "knowledge" is. Mr. Hrabal also attempted through his			

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	maximum pump pressure to prevent over-inflation of the tire; a nonrecirculating system where a portion of the pump tube is not compressed during tire rotation to ensure that the tire is not over-inflated, and the incompressible portion of the tube is between the pumping portion and the tire interior, and the tube is open to the atmosphere; a non-recirculating system where an incompressible portion of the tube is between the pumping portion and atmosphere, and the tube is open to the tire; a recirculating system that eliminates dead space; a regulator with a three-way valve that would recirculate the air while the tire is not being inflated, which minimizes pump wear and maximizes energy efficiency; a recirculating system whereby operation of the tire in reverse does not damage the system; and the design considerations for a system without recirculation.	testimony to add the design of simultaneous pinching, which is not disclosed in his trade secret. • Dkt. 355 at 450:23-451:8 ("Q. Mr. Hrabal, trade secret 4 relates to Coda's knowledge of how to design and develop a pump system for a self-inflating tire which comprises -- and then it lists design alternatives; is that right? A. Yes. Q. Are some of those design alternatives public? A. Yes. Q. And are some confidential? A. Yes. Q. But is it the list of design alternatives? A. Yes.") • Dkt. 355 at 465:2-7 ("Q. And briefly, Mr. Hrabal, what did you share? A. For example, the situation system that eliminated dead space. When you are having this 360 pump which is **being pinched at the same time -- which is always pinched at least at the same time this pump** can eliminate that volume.")			
	20. Coda's knowledge of how to design and develop self-inflating tire systems with circulating and non-circulating pump variations, comprised of the disclosure of technical information through observations and descriptions of the three-way valve regulator, and explanations of the function and air-paths for the states of recirculation and inflation; closure elements related to recirculation systems and a pressurized air reservoir that would permit the storage of air within the system without the need to engage the pump tube with each tire	Trade secret 20 is indefinite because it vaguely references "Coda's knowledge of how to design and develop self-inflating tire systems with circulating and non-circulating pump variations" without specifying what that "knowledge" is. Trade secret 20 also states that the trade secret is "comprised of the disclosure of technical information through observations and descriptions," but it doesn't say what those descriptions are in the laundry list of items that follow. The trade secret similarly fails to describe the "explanations of functions" of the laundry list of items.			

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	revolution; recirculation at different pressures, such as ambient pressure; recirculation through various paths, such as through the tire, the atmosphere and the pump tube; the safety benefit of recirculating around the pump tube isolated from the tire cavity; a check valve on intake (between the pump tube and the atmosphere) to only permit air in when pressure in the pump tube falls below atmospheric pressure; and a check valve on output (between the pump tube and tire interior) to only allow air into the tire when pressure in the pump tube exceeds the tire pressure.	• Dkt. 355 at 451:10-23 ("Q. Thank you. Trade secret 20 is Coda's knowledge of how to design and develop self-inflating tire systems with circulating and noncirculating pump variations, comprised of the disclosure of technical information through observations and descriptions of the three-way valve regulator, and explanations of. And then it lists a number of bullet points of technical items that were related to the regulator. Do you agree with that? A. Yes. Q. Okay. And does this relate to these specifics technical items in relation to your three-way valve regulator? A. Yes.") • Dkt. 355 at 465:8-24 ("Q. And pressure management trade secret 20, did you share that with Goodyear at the June 15 meeting? A. Yes, we were explaining various parts of the flow of the -- Q. I'm sorry. Of the flow of what? A. Of the air within the system. Q. The regulator? When you say -- is that the regulator system? Is that what you're referring to? A. I'm sorry. I don't know. This is pressure management. I'm sorry. Yes. This is, for example, the first one, is a trade secret which relates to three-way valves, which allows for the recirculation when the pressure is not needed, when you don't need to inflate which is circulate the air, when you need to inflate, you are shipping the air into the tire. And that's the first bullet pointing, for example.)			
Interface	**7.** Coda's design and development of a multi-purpose interface for transporting air in a self-inflating tire	Trade secret 7 is indefinite because it vaguely references "Coda's design and development" without more, and			There is no evidence that Goodyear had a prototype with a pump and an interface

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	that can connect to the air source, connect to the tire interior, connect to the peristaltic pump, serve as an end to the peristaltic pump, connect to the regulator, carry the regulator, go around or through the bead, go around or through the tire layers, click to the bead and hold the filter.	further states the alleged secret in terms of desired functions and capabilities, without any disclosure of how to accomplish those functions or any disclosure of structure for implementing those functions and capabilities. • Dkt. 355 at 452:15-18 ("Q. All right. And you also assert an interface trade secret; is that correct? A. Yes. Q. Okay. And that's trade secret 7.") • Dkt. 355 at 459:2-16 ("Q. Okay, Mr. Hrabal. Thank you. How about the interface trade secret? A. I was explaining how I would be connecting the peristaltic hose, peristaltic pump together with the regulator, how the interface could lead between the tire and the rim, how the interface -- that the interface you might consider that it shouldn't go through the tire wall itself. And how it connects all the pieces which are regulator, pump, regulator, interface, inside of the tire, outside of the tire, that the interface itself can carry the system parts. So basically you will be able to -- you will be able to just place one piece in the tire. So you make your tire. It comes out of the factory, and in one piece you will integrate everything that we integrated with the interface itself.")			where the pump would inflate the tire. • Dkt. 357 at 878:17-879:1 ("Q. So as of this point, March 2 it, 2010, Goodyear did not have any prototype that was actually inflating the tire itself? A. No. It could inflate the tire. It just was not controlled. Q. Are you aware of any documentation that shows the tire inflated -- or a prototype where the actual -- there was a pump and an interface such that the pump would actually inflate the tire? A. I am not able to put my finger on one right now.") Coughlin's testimony fails to demonstrate how the Hinque patent (P-010) discloses trade secret 7. Coughlin's cursory reference to "circular components" and "little thin line" does not adequately describe the multiple elements listed in trade secret 7 (e.g., filter, regulator, peristaltic pump). • Dkt. 359 at 1638:24-1639:6 ("Q. And is this the document you're referring to, Plaintiff's Exhibit 10? A. Yes, this is the particular document. And you can see this perhaps a little more clearly on the image on the bottom right on the cover page

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					of this. You see those circular components on the inside and the outside of the tire, and the passageway, the little thin line that connects underneath the bead against the rim.")
Pump Creation	**5.** Coda's technique regarding the alternative to molding a pump chamber into the tire by embedding and removing a filament to form a cavity in the tire, and the improvements in the filament embedding process by coating the filament in a silicone lubricant before pressing and vulcanizing the tire.				There is no evidence that Goodyear used or disclosed a filament embedding process that involved "coating the filament in a silicone lubricant." Citing the 2014 AMT closeout report (P-427), Coughlin references figure 5-2 that shows "removal of a silicone strip after tire cure." This "silicone strip" is not the filament disclosed in trade secret 5, nor is the strip coated with a "silicone lubricant." • Dkt. 359 at 1637:1-6 ("Q. Is this the report you were referring to? A. So that is the cover sheet where they're describing their built in technology state-of-the-art, and this figure 5-2 shows removal of a silicone strip after tire cure. So, again, following this retread shop process, this trade secret, that Coda disclosed to Goodyear")
Test Results	**23**. Coda's development of a functional self-inflating tire as demonstrated by the test results confirming that the tire pump can generate pressure higher than the pressure in the tire cavity, through			Mr. Hrabal's trial testimony does not support that he fully disclosed the alleged trade secret test results to Goodyear.	Coughlin offered no testimony to show that Goodyear used or disclosed trade secret 23. Coughlin referred to the January 2009 email (P-0471), where Mr.

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	the test results showing that the pump placed on the tread could generate 6.5 absolute atmospheres of pressure (5.5 relative atmospheres); the test results showing that the tube-in-groove pump of the prototype could generate 3.3 absolute atmospheres of pressure; and test results that demonstrated that the Flap Tubes could generate 1 relative atmosphere of pressure.			• Dkt. 355 at 414:12-16 ("Q. Can you look at Plaintiff's Exhibit 471? A. I see it. Q. Okay. What is that, Mr. Hrabal? A. It's post meeting e-mail, and at the beginning it shows this information about the results."); 414:20-24 ("Q. And so what sort of testing results are you conveying to Goodyear? A. We are them we have 6.5 absolute pressure, which is 5.5 relative pressure, and I think it will -- it will be around 100 PSI.") • P-0471 ("thank you and your colleagues for your time and open discussion during our meeting in Frankfurt. I promised to provide the information about maximum pressure reached during our tests. With SIT set-up used on our video (with yellow silicon tube) we reached approximately 6,5A absolute pressure (or 5,5 A relative pressure, i.e. pressure above ambient atmospheric pressure).")	Hrabal relays some test results to Goodyear, as proof of Goodyear's use. But these test results were conveyed in writing, without the Confidentiality designation required by the parties' NDA, so any use by Goodyear of these test results was not the use of a "secret." *See* D-067 ("All Confidential Information disclosed in documentary or tangible form shall be marked 'Confidential.'").
Marketing/ Commercialization	**25.** Coda's knowledge of potential tire-making cost-savings promoted by self-inflating tire technology, by permitting the removal or reduction of the inner liner.	Trade secret 25 is indefinite because it references "Coda's knowledge of potential tire-making cost savings" without specifying what that "knowledge" is. Mr. Hrabal's testimony regarding the reason for the			

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		reduced cost (e.g., the inner liner is expensive rubber) is not described in trade secret 25. • Dkt. 355 at 452: 25-6 ("Q. And a marketing and commercialization trade secret, number 25. Yes? A. Yes. Q. Now, does that relate to the inner liner point you were making earlier today? A. Yes.") • Dkt. 355 at 412:22-414:4 ("Q. All right. Anything else, Mr. Hrabal? A. I think there was the information about business potential which was related to inner liner. If you are having -- every tire, the tires are tubeless which means hey hold the air within their own cavity without -- another tube. And that's achieved through the layer of the inner liner, which is on the inner side of the tire. And that makes sure that the air doesn't escape quickly from the tire because this part of the rubber is of lower quality and it can penetrate -- air could go right through it. So this inner liner is the sealing function. If you are having peristaltic pump, or if you are having self-inflating tire, you can -- it can affect your need for having an inner liner because it may not be needed in that case or not so much as the faults of self-inflating tire. Self-inflating tire can compensate for the leak which otherwise is presented by the inner liner. Q. Do current inner liners completely stop air leaks from tires? A. No, the tires are still leaking, and not only through the wall but also from -- through some, for example, the check valve, they leak over time. Q. And so with a SIT system, then can			

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		you eliminate or reduce the inner liner? A. That was the idea. Q. And what's the advantage of being able to eliminate or reduce the inner liner? A. The rest of the rubber, the rest of the tire is made from different rubber because it's cheaper. Inner liner is expensive rubber. And so it can have economic impact. If you don't have to use that much inner liner, then you're making a saving.")			
System	**27.** Coda's knowledge presented and disclosed to Goodyear at the January and June, 2009 meetings, consisting of the PowerPoint presentation; the prototype self-inflating tire, regulators, pump tubes, mock-ups, and other physical exhibits; the possible location of a pump in a tire; the design and build of the pump; the pressure management system options (dead space or recirculation); the efficacy of the pump in compensating for ordinary tire leakage; SIT testing mechanisms including the use of wireless sensors; marketing strategies directed to the commercial trucking industry; and tests and test results on self-inflating tire prototypes, combined with Coda's technology disclosed in its patents and patent applications regarding self-inflating tire technology.	Trade secret 27 is indefinite because it vaguely references "Coda's knowledge" without specifying what that "knowledge" is (e.g., unspecified "mock-ups, and other physical exhibits"; "the possible [but unspecified] location of a pump in a tire"; "the design and build of the pump"—and all of these vague things are being combined with unquestionably public material ("Coda's technology disclosed in its patents and patent applications") • Dkt. 355 at 453:7-15 ("Q. Now, trade secret number 27, that's denoted as system. Do you see that? A. Yes, I do. Q. Okay. And is that -- is this trade secret relating to the compilation of information that you have, it's basically putting what's disclosed in your pressure management trade secrets together with your pump location trade secrets and your inner face trade secret in order to create one system? A. Yes.")			The single, unelaborated, conclusory statement in Coughlin's testimony of "[s]o, you know, that Goodyear did use and disclose that trade secret" is not sufficient evidence that Goodyear used or disclosed trade secret 27. • Dkt. 359 at 1643:17-25 (Q. So trade secret -- moving on to trade secret 27? A. 27. Q. The system trade secret? A. Oh, the system trade secret. Q. What is your opinion with regard to trade secret number 27? A. So, you know, that Goodyear did use and disclose that trade secret. Q. Thank you.")